

CLOSED

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE GABAPENTIN PATENT
LITIGATION

MDL Docket No. 1384
Master Docket No. 00-cv-2931 (FSH) (PS)
Civil Action Nos.. 00-cv-3522 (FSH),
00-cv-4168, (FSH), 00- cv-4589 (FSH),
00-cv-6073, (FSH), 01-cv-0193, (FSH),
01-cv-1537 (FSH), 01-CV-2194 (FSH)

STIPULATION AND ORDER OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and among Pfizer Inc., Warner-Lambert Co. LLC, Pfizer Pharmaceuticals LLC and Godecke GmbH (collectively and severally, “Plaintiffs”) as plaintiffs in Civil Action Nos. 00-CV-2931, 00-CV-3522, 00-CV-4168 (FSH), 00-CV-4589 (FSH), 00-CV-6073 (FSH), 01-CV-0193 (FSH), 01-CV-1537 (FSH) and 01-CV-2194 (FSH), and Teva Pharmaceutical Industries, Ltd., and Teva Pharmaceuticals USA, Inc. (collectively and severally, “Defendants”), as defendants and counterclaimants, by their attorneys, that:

1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiffs’ claims against Defendants and their affiliates of direct, indirect or other infringement are dismissed with prejudice to the extent that they are based on the manufacture, use, offer for sale, import or sale of gabapentin products by Purepac Pharmaceutical Co., Faulding Inc., or Actavis Elizabeth LLC, or any of their affiliates, including but not limited to Plaintiffs’ claims of inducement of infringement under 35 U.S.C. § 271(b) and contributory infringement under 35 U.S.C. § 271(c) raised in Count II of Pfizer’s First Amended and Supplemental Complaint for Patent Infringement.

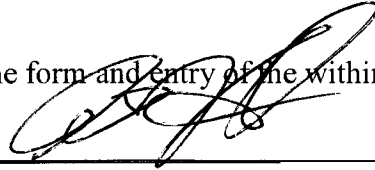
2. The parties waive any right of appeal from this Order.
3. Each party shall bear its own costs and fees with respect to the above-referenced claim.

Dated: May 31, 2011

IT IS SO ORDERED ON THIS 31st DAY OF May, 2011


HONORABLE FAITH S. HOCHBERG
UNITED STATES DISTRICT JUDGE

The undersigned counsel hereby consent to the form and entry of the within Order:

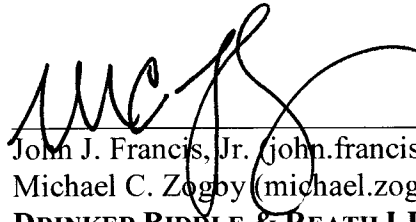


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